

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Annette R. Giles
4378 Purdue Drive
N. Charleston, South Carolina 29148

SCDOI Case Files #:121455

**Consent Order
Imposing Administrative Penalty**

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and the above referenced individual, a licensed South Carolina resident surety bail bondsperson.

Upon review of this matter, I hereby find as fact, that Annette R. Giles, dba AG-Home Quick Bail Bonds, while licensed to do business as a resident surety bondsman, did utilize the services of one Leroy Shivers, an unlicensed individual, as a 'runner', for the apprehension of fugitives. Moreover, Ms. Giles had also failed to timely pay the corresponding Bond Forfeitures to North Charleston Municipal Court, as established by Law. Ms. Giles acknowledges these allegations, but contends these failures resulted from inadvertence and oversight and not from any intent to avoid the requirements of the law. Nevertheless, these actions can ultimately lead to the revocation of her license and that of her business, to transact the business of bail bonds in South Carolina, following a public hearing at the Administrative Law Court, pursuant to S.C. Code Ann. Section 38-43-130.

Prior to the initiation of any administrative proceedings by the Department against her, Annette R. Giles and the Department agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision, rather than to proceed toward a formal public hearing. The consensual recommendation was that in lieu of the Department seeking to revoke respondent's licensing privileges, and pursue criminal charges against her, the respondent would waive her right to a public hearing, and immediately submit via certified check, a negotiated and consensual administrative penalty in the amount of \$2,000.00 dollars.

Sections 38-45-140 and 38-43-130 of the South Carolina Code grant the Director of Insurance the power to revoke an insurance producer's license for violating any of South Carolina's Insurance Laws.

After a thorough review of the record, and pursuant to my findings of fact, I hereby conclude as a matter of law, that Annette R. Giles/ AG- Home Quick Bail Bonds had violated S.C. Code Ann. Sections: 38-53-150 and 38-43-130(Supp. 2004). As a result, I can now take administrative disciplinary action against her surety bondsman's license. However, under the discretionary authority provided to me within S.C. Code Ann. § 38-2-10(Supp. 2004), carefully considering the recommendation of the parties,

the fact that the Bond Forfeitures have been paid in their totality, I hereby impose against Ms. Giles, an administrative penalty in the amount of \$2,000.00 dollars. If that penalty is not timely paid, or she is found to be in violation of any of the State's Insurance Laws within a one year period, all her licensing privileges shall be immediately revoked without any further disciplinary proceedings and the case will be turned over to the Office of the State Attorney General.

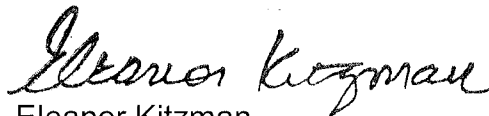
This administrative penalty has been reached by the parties as a result of negotiation and compromise, and it is made in consideration of Annette Giles and AG-Home Quick Bail Bonds' assurances that in the future they will fully comply with the Insurance Laws of South Carolina.

Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, pursuant to S.C. Code Ann. § 38-3-110(4) (Supp.2004) to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance/ surety bail bonds or the provisions of this title which he considers necessary to report."

It is, therefore, ordered that Annette R. Giles/ AG- Bail Bonds shall, within ten days of the date from the date that she receives this Order, pay through the South Carolina Department of Insurance an administrative penalty in the amount of \$2,000 dollars.

It is further ordered that a copy of this consent order be immediately transmitted to the National Association of Insurance Commissioners for distribution to its member states and a copy be placed in Ms. Giles' licensing file.

This order becomes effective as of the date of my signature below.


Eleanor Kitzman
Director

April 18, 2005, at
Columbia, South Carolina

I CONSENT:

A handwritten signature in cursive script, appearing to read "Annette R. Gilles", written over a horizontal line.

Annette R. Gilles/ AG-Bail Bonds
2157 Dorchester Road
North Charleston, South Carolina 29405.

Dated this 13th day of April, 2005.